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December 2, 2022

VIA ECF

Judge Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>12/5/2022</u>

In re: *United States v. Encarnacion-Velez et al. (on behalf of Leuris Sabala-Mejia)*, 21-CR-225

Dear Judge Vyskocil:

I write to request a modification of Mr. Sabala-Mejia's bond condition from location monitoring with a curfew to pretrial supervision as directed by Pretrial Services. Mr. Sabala-Mejia has been on electronic monitoring for 21 months. His pretrial officer and the government consent to the modification.

Mr. Sabala-Mejia has been fully compliant with all conditions to date. He is cooperative, mild-mannered, responsible and stable. Pretrial is appreciative of the challenges he faces as a single father and has suggested that I request this modification to the Court. Requiring Mr. Sabala-Mejia to be on location monitoring is, in pretrial's view, unnecessary. Pretrial agrees that Mr. Sabala-Mejia has proven himself to be reliable, stable and presents little risk of flight or danger.

Bond conditions must be the *least restrictive* possible to ensure the defendant's appearance and the safety of others. 18 U.S.C. § 3142(c)(1)(B). Pretrial considers Mr. Sabala-Mejia to be low risk, and thus, recommends that he should be given a less restrictive condition. In order for him to go anywhere, it requires 48 hours advance approval by pretrial services. This is an unnecessary burden on pretrial services, and is a condition that is intended to be reserved for those defendants who present a greater risk of danger or flight. No other defendant has been subjected to electronic monitoring, even those with greater liability in this case.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Sabala-Mejia requests an immediate modification of his bond conditions from home detention with a curfew, to supervision as directed by Pretrial Services.

Thank you for your consideration of this request.

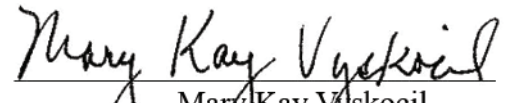
Sincerely,



Susan K. Marcus, Esq.
Attorney for Leuris Sabala-Mejia

Granted. SO ORDERED.

Date: Dec. 5, 2022
New York, New York


Mary Kay Vyskocil
United States District Judge